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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/085,824 | 02/27/2002 | David K. Brown | 938-4 | 2396 |
| 28249 | 7590 | 05/06/2005 | | |
| DILWORTH & BARRESE, LLP 333 EARLE OVINGTON BLVD. UNIONDALE, NY 11553 | | | EXAMINER HUYNH, BA | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2179 | |

DATE MAILED: 05/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/085,824

Applicant(s)

BROWN, DAVID K.

Examiner

Ba Huynh

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. Claim 20 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The phrase “prove” appears to be a typographical error.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over US patent application publication #2002/0097894 (Staas et al), in view of US patent #6,714,215 (Flora et al.)

- As for claims 1, 10, 12: Staas et al (herein Staas) teach a computer implemented system and corresponding method for interacting with a slide-show presentation having a plurality of slides (abstract), comprising the means/steps for:

presenting a map 203 with a clickable link 209 corresponding to a location on the map (fig. 2),

accepting a selection of the clickable link 209 (0032, 0033),

providing a slide 213 corresponding to the clickable link 209,

retrieving a slide 213 from among the plurality of slides from a memory storage device, displaying the slide in a first resolution (0033), performing one or more operations selected from a group consisting displaying a second window having an enlarge image of the slide in a second resolution (0035, 0036; fig. 3). Staas fails to clearly teach providing and displaying a “plurality” of slide corresponding to the clickable link 209. However in the same filed of slide presentation, Flora et al teach the displaying of multiple slides associated with a landmark. Since a landmark normally represented by more than one images for tourist attraction, it would have been obvious to one of skill in the art, at the time the invention was made, to combine Flora’s teaching of providing and displaying a “plurality” of slides corresponding to the clickable link to Staas. Motivation to combine is for displaying all images associated with a landmark point of interest. Implementation of a separate window for displaying each of the text (Staas’ 0036, Flora’s figure 3) and the slides at different resolutions would have been obvious to one of skill in the art (See also US patent #6,590,586)

- As for claims 2, 13: The one or more operations are performed in response to a display command invoked by a user (Staas’ 0036).
- As for claims 3, 14: The display command is performed via one of a corresponding command icon displayed on the display device concurrent with the displayed slide and a drop-down text menu (5:9-12, 35-46; 6:39-47). The combined Staas&Flora fails to clearly teach the pop-up menu. However, Official notice is taken that implementation of pop-up menu is well known in the art of GUI. It would have been

obvious to one of skill in the art, at the time the invention was made, to implement the well known pop-up menu to the combination of Staas&Flora. Motivation of the combining is for the apparent advantage of command input since the pop-up menu would be displayed at the cursor location.

- As for claims 4, 15: In light of the combining set forth in claim 3, the pop-up text menu is accessed via a computer pointing device.
- As for claims 5, 16: In light of the rejection set forth above, a slide can be selected to display at different small, medium, and large resolution.
- As for claims 6, 17: In light of the rejection set forth above, the plurality of slides is displayed in thumbnail-sketch format (Flora's fig. 3).
- As for claim 7: Each of the slides is associated with text (Staas's fig. 3, Flora's fig. 3).
- As for claims 8, 9: The combined Staas&Flora fails to teach selecting a slide from a drop-down menu of titles. However, Official notice is taken that it would have been obvious to one of skill in the art, at the time the invention was made, to implement a drop-down menu of slide titles for selection. Motivation of the combine is for saving display estate.
- As for claim 11: The slides can be accessed sequentially or non-sequentially (Flora's fig. 3).
- As for claim 18, 19, 23, 24: The storage medium can be in the form of a portable disk, optical disk or DVD-ROM (Staas' 0027; Flora's 4:65 – 5:14).

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- As for claims 20, 21, 22: Implementation of synchronized audio with displayed image is well known in slide presentation. One of skill would be motivated to combine such implementation to Staas&Flora for further enhancement.

Response to Arguments

4. Applicant's arguments with respect to claims 1-24 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ba Huynh whose telephone number is (703) 305-9794 (after 10/20/04: (571) 272-4138). The examiner can normally be reached on Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (703) 308-5186. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ba Huynh
Primary Examiner
AU 2179
4/24/05


BA HUYNH
PRIMARY EXAMINER